

HOUSE BILL 2273

By Odom

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5, Part 1, relative to recovery of benefits and commissioner authorized to require certain information identifying persons covered by third parties.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-117(a), is amended by deleting the language "three (3)" and by substituting instead the language "five (5)".

SECTION 2. Tennessee Code Annotated, Section 71-5-117(d), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(d) The commissioner of finance and administration, the director of the bureau of TennCare or individual managed care organizations under contract with the state are authorized to require certain information identifying persons covered by third parties for medical services. Third parties for medical services shall include, but not be limited to, health and liability insurers, administrators of ERISA plans, employee welfare benefit plans, workers' compensation plans, CHAMPUS and medicare. All third parties shall, upon request from the commissioner, the director or managed care organization, provide for a computerized data match of their respective files to identify all persons covered by both the third party and by the state's TennCare program for medical services. No third party shall be liable to a policyholder for proper release of this information to the commissioner, the director or managed care organization. Such information shall be provided pursuant to a written request from the commissioner, the director or managed care organization with each third party establishing confidentiality requirements.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.